



House of Representatives

File No. 704

General Assembly

January Session, 2013

(Reprint of File No. 571)

Substitute House Bill No. 6243
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 3, 2013

AN ACT CONCERNING THE PRACTICE OF THAI YOGA.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-206g of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) As used in this section, "advertise" includes, but is not limited to,
4 the issuance of any card, sign or device to any person; causing,
5 permitting or allowing any sign or marking on or in any building,
6 vehicle or structure; advertising in any newspaper or magazine, or the
7 placement of any listing or advertisement in any directory under a
8 classification or heading that includes the words "massage", "massage
9 therapist", "massage therapy", "massage therapy establishment",
10 "shiatsu", "acupressure", "Thai massage", "Thai yoga massage" or "Thai
11 yoga".

12 (b) No person, firm, partnership or corporation shall advertise any
13 of the services included in the definition of massage therapy in any
14 manner using the term or title "massage", "shiatsu", "acupressure",
15 "Thai massage", "Thai yoga massage" or "Thai yoga", except as

16 provided in subsection (e) of this section, unless such services are
17 performed by a massage therapist.

18 (c) Each person who holds a license as a massage therapist shall
19 include his or her license number in any advertisement for such
20 person's massage therapy services that appears in a newspaper,
21 telephone directory or other advertising medium.

22 (d) It shall be a violation of this section for any person who does not
23 hold a current license as a massage therapist to advertise massage
24 therapy services by using the term "massage", "massage therapist",
25 "licensed massage therapist", "massage practitioner", "massagist",
26 "masseur" or "masseuse", "shiatsu", "acupressure", "Thai massage",
27 "Thai yoga massage" or "Thai yoga", except as provided in subsection
28 (e) of this section.

29 (e) A person who does not hold a current license as a massage
30 therapist but who is registered as a yoga teacher with the Yoga
31 Alliance Registry and has completed two hundred hours of training in
32 Thai yoga may advertise "Thai yoga" services.

33 Sec. 2. Section 20-206a of the general statutes is repealed and the
34 following is substituted in lieu thereof (*Effective October 1, 2013*):

35 As used in subsection (c) of section 19a-14, and sections 20-206a to
36 20-206g, inclusive, as amended by this act:

37 (a) "Commissioner" means the Commissioner of Public Health.

38 (b) "Department" means the Department of Public Health.

39 (c) "Massage therapist" means a person who has been licensed to
40 practice massage therapy under the provisions of sections 20-206a to
41 20-206f, inclusive.

42 (d) "Massage therapy" means the systematic and scientific
43 manipulation and treatment of the soft tissues of the body, by use of
44 pressure, friction, stroking, percussion, kneading, vibration by manual

45 or mechanical means, range of motion and nonspecific stretching.
46 Massage therapy may include the use of oil, ice, hot and cold packs,
47 tub, shower, steam, dry heat, or cabinet baths, for the purpose of, but
48 not limited to, maintaining good health and establishing and
49 maintaining good physical and mental condition. Massage therapy
50 does not encompass (1) diagnosis, the prescribing of drugs or
51 medicines, spinal or other joint manipulations, [nor] (2) any service or
52 procedure for which a license to practice medicine, chiropractic,
53 natureopathy, physical therapy, or podiatry is required by law, or (3)
54 Thai yoga practiced by a person who is registered as a yoga teacher
55 with the Yoga Alliance Registry and has completed two hundred
56 hours of training in Thai yoga.

57 (e) "Massage" shall have the same meaning as "massage therapy", as
58 defined in subsection (d) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	20-206g
Sec. 2	October 1, 2013	20-206a

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

There is no fiscal impact to the Department of Public Health (DPH) from exempting "Thai yoga" from advertising prohibitions. DPH does not investigate complaints related to advertisements of massage therapy nor does it cause local health departments to investigate such complaints, though the agency has the statutory authority to do so.

House "A" retained an existing restriction from advertising for "Thai yoga massage" services if these services will not be performed by a licensed massage therapist. It did not result in a fiscal impact to DPH.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 6243 (as amended by House "A")******AN ACT CONCERNING THE PRACTICE OF THAI YOGA.*****SUMMARY:**

PA 12-64 added "Thai yoga" and "Thai yoga massage" to the list of terms or titles that can appear in advertising for massage therapy services only if performed by a licensed massage therapist.

This bill exempts Thai yoga performed by people with specified training from the definition of "massage therapy," thus allowing such people to practice Thai yoga without a massage therapist license. The bill also exempts such people from the advertising restriction noted above. These exemptions do not apply to Thai yoga massage.

The bill applies to people who practice Thai yoga who are (1) registered as yoga teachers with the Yoga Alliance Registry and (2) have completed 200 hours of training in Thai yoga.

Thai yoga and Thai yoga massage are not individually defined in statute but commonly involve assisted yoga stretching, acupressure, related movements, and meditation.

*House Amendment "A" removes the exemptions in the underlying bill for Thai yoga massage.

EFFECTIVE DATE: October 1, 2013

BACKGROUND***Massage Therapy Definition***

Existing law defines "massage therapy" as the systematic and scientific manipulation and treatment of the body's soft tissues using

pressure, friction, stroking, percussion, kneading, vibration by manual or mechanical means, range of motion, and nonspecific stretching. It may include the use of oils, ice, steam, and similar amenities, but does not include diagnosis, prescribing medications, spinal or other joint manipulations, or any services and procedures for which the law requires a license to practice medicine, chiropractic, naturopathy, physical therapy, or podiatry (CGS § 20-206a).

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 28 Nay 0 (04/05/2013)